

**Notice of Allowability**

Application No.

10/715,682

Examiner

Joseph W. Drodge

Applicant(s)

STANHOPE ET AL.

Art Unit

1723

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed 8/15/2006.
2. ☒ The allowed claim(s) is/are 1-17.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 8/22/06.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

Art Unit: 1723

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Claim 1 has been amended as follows: --

1. (currently amended) A filter assembly having a housing open at one end, an annular filter media/core assembly disposed in said housing, an end plate secured to the housing and closing the open end thereof, the end plate having first inlet opening means, second inlet opening means and outlet opening means, a combination valve disposed between the annular filter media/core assembly and the end plate for controlling fluid flow through the first inlet opening means and the second inlet opening means, the combination valve being annular and including a first portion cooperating with the first inlet opening means and a second portion cooperating with the second inlet opening means, the second portion having more resistance to fluid flow than the first portion, whereby, the combination valve is configured such that when there is no fluid flow the first portion prevents fluid flow through the first opening means from within the housing, and in operation, the first portion will yield prior to the second portion and fluid flow will pass through the first opening means, the annular filter media/core assembly and then be discharged through said outlet opening means and when the annular filter media/core assembly begins to clog, pressure upstream of the first portion will build and upon attainment of a predetermined pressure, the second portion will open the second inlet opening means and fluid flow can pass through the second inlet opening means and out the outlet opening means bypassing the annular filter media/core assembly. -- .

Claim 18 has been canceled.

Authorization for this examiner's amendment was given in a telephone interview with Seymour Rothstein on August 21, 2006.

The following is an examiner's statement of reasons for allowance: Independent claims 1 and 15 respectively distinguish over the closest prior art, Silverwater of record and newly cited Covington patents 6,096,199 and 6,027,640 and McKenzie patent 6,793,808 in view of respective recitations of the combination valve being configured such that when there is no fluid flow a first annular portion thereof prevents fluid flow through first inlet opening means in an end plate, and upon attainment of a higher or predetermined pressure a second annular portion thereof opens second inlet openings in such end plate. The above prior art suggests such combination valve with such first and second annular portions, however where the second annular portion cooperates with second inlet openings in a valve support or other structure not forming a part of an end member having first inlet openings controlled by valve structure.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Drodge at telephone number 571-272-1140. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda Walker, can be reached at 571-272-1151. The fax phone number for the examining group where this application is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or Public PAIR, and through Private PAIR only for unpublished applications. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JWD

August 22, 2006

  
JOSEPH DRODGE  
PRIMARY EXAMINER